

TITLE 18
CRIMES AND PUNISHMENTS

CHAPTER 60
RAILROADS

18-6001. PERMITTING COLLISION CAUSING DEATH. Every conductor, engineer, brakeman, switchman, or other person having charge, wholly or in part, of any railroad, car, locomotive or train, who wilfully or negligently suffers or causes the same to collide with another car, locomotive or train, or with any other object or thing whereby the death of a human being is produced, is punishable by imprisonment in the state prison for not less than one (1) nor more than ten (10) years.

[18-6001, added 1972, ch. 336, sec. 1, p. 958.]

18-6002. NEGLECT TO SOUND BELL OR WHISTLE. Every person in charge of a locomotive engine who, before crossing any traveled public way, omits to cause a bell to ring or steam, air, electric or other similar whistle to sound at the distance of at least eighty (80) rods from the crossing, and up to it, is guilty of a misdemeanor.

[18-6002, added 1972, ch. 336, sec. 1, p. 959.]

18-6006. INJURING RAILROAD PROPERTY. Every person who maliciously removes, displaces, injures, or in any way interferes with, or changes, or destroys, any part of any railroad property, whether for cars propelled by steam or any other motive power, or any track of any railroad, or any branch or branchway, switch, block or other signal or signaling device, turnout, bridge, viaduct, culvert, embankment, station house or other structure or fixture, or any part thereof attached to or connected with any railroad, is punishable by imprisonment in the state prison not exceeding ten (10) years, or by fine not exceeding fifty thousand dollars (\$50,000), or by both fine and imprisonment, in the discretion of the court.

[18-6006, added 1972, ch. 336, sec. 1, p. 959; am. 1994, ch. 263, sec. 2, p. 812.]

18-6007. THEFT OF CAR PARTS -- MURDER BY WRECKING. Any person or persons who shall remove, take, steal, change, add to, take from, or in any manner interfere with any journal bearings or brasses, or any parts or attachments of any locomotive, tender or car, or any fixture or attachment belonging thereto, connected with, or used in operating any locomotive, tender or car, owned, leased or used by any railway or transportation company in this state, is guilty of a felony, and upon conviction thereof shall be subject to punishment by imprisonment in the penitentiary not less than one (1) nor more than fourteen (14) years, or by a fine of up to fifty thousand dollars (\$50,000), or by both such fine and imprisonment, in the discretion of the court: provided, that if the removal of such journal bearings or brasses, fixtures or attachments, as aforesaid, shall be the cause of wrecking any train, locomotive or other car in this state, whereby the life or lives of any person or persons shall be lost as the result of the felonious or malicious stealing, interfering with or removal of the fixtures, as aforesaid,

the person or persons found guilty thereof shall be liable for murder as in other cases.

[18-6007, added 1972, ch. 336, sec. 1, p. 959; am. 1994, ch. 263, sec. 3, p. 812.]

18-6008. RECEIVING STOLEN CAR PARTS. Every person who buys or receives any of the property described in section [18-6007](#), Idaho Code, knowing the same to have been stolen, is guilty of a felony, and upon conviction thereof shall be subject to the punishment provided in section [18-6007](#), Idaho Code.

[18-6008, added 1972, ch. 336, sec. 1, p. 960; am. 1994, ch. 263, sec. 4, p. 813.]

18-6009. PLACING OBSTRUCTIONS ON TRACKS. Every person who maliciously places any obstruction upon the rails or track of any railroad, or of any switch, branch, branchway, or turnout connected with any railroad, is punishable by imprisonment in the state prison not exceeding five years, or in the county jail not less than six months.

[18-6009, added 1972, ch. 336, sec. 1, p. 960.]

18-6010. OBSTRUCTION OR INTERFERENCE WITH RAILROAD. Any person or persons who shall wilfully or maliciously place any obstruction on any railroad track or roadbed, or street car track in this state, or who shall loosen, tear up, remove or misplace any rail, switch, frog, guard rail, cattle guard, or any part of such railroad track or roadbed or street car track, or who shall tamper with or molest any such road, roadbed or track, or who shall destroy or damage any locomotive, motor or car on said track, or who shall otherwise interfere with the maintenance or operation of such road so as to endanger the safety of any train, car, motor or engine, or so as to endanger or injure any passenger or person riding thereon, or being about the same, shall, upon conviction thereof, be punished by imprisonment in the penitentiary for any term not exceeding twenty (20) years nor less than five (5) years.

[I.C., sec. 18-6010, as added by 1972, ch. 336, sec. 1, p. 844.]

18-6011. OBSTRUCTION OR INTERFERENCE WITH RAILROAD -- ACT CAUSING DEATH. Any person or persons who shall, within this state, wilfully or maliciously place any obstruction upon any railroad track or roadbed or street car track, or shall misplace, remove, obstruct, detach, damage or destroy any rail, switch, frog, guard rail, cattle guard, or any other part of such railroad track or roadbed or street car track, or who shall otherwise interfere with the maintenance and operation of such road, thereby causing the death of any person, whether passenger or employee of such railroad, or street railway, or otherwise, shall, upon conviction thereof, be deemed guilty of a felony and be punished by imprisonment in the penitentiary for a term not less than five (5) years and which may extend to the natural life of such person so found guilty, or may be tried and punished for murder. But this section shall not in any way lessen the liability of the railroad company where a wreck may hereafter occur in the state of Idaho.

[18-6011, added 1972, ch. 336, sec. 1, p. 960.]

18-6012. OFFENSES AGAINST RAILROADS. Any person disturbing the peace of any traveler on any railway train, or breaking the seal or forcibly entering any car, or disturbing the contents of any car, or breaking any package therein, or breaking any package left at any depot for transportation or delivery, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six (6) months, or by both such fine and imprisonment.

[18-6012, added 1972, ch. 336, sec. 1, p. 961; am. 1994, ch. 263, sec. 5, p. 813.]

18-6015. PROHIBITION ON DISPOSAL OF HUMAN BODY WASTE FROM PASSENGER TRAINS. (1) As used in this section:

(a) "Human body waste" means excrement, feces or other waste material discharged from the human body.

(b) "Passenger train" means any train operated by a railroad company or corporation or operated by an entity created by federal law, for the primary purpose of transporting passengers.

(c) "Person" means an individual, trust, firm, joint stock company, corporation, partnership, association, state, state or federal agency or entity, city, commission, or political subdivision of a state.

(2) No person operating or controlling any passenger train through or within this state may knowingly and openly place, throw, release, discharge, or deposit human body waste from a passenger train upon the right-of-way over which it operates.

(3) Any person who violates any provision of this section is guilty of a misdemeanor.

(4) The department of environmental quality and the public health districts shall enforce the provisions of this section.

[18-6015, added 1990, ch. 189, sec. 1, p. 419; am. 2001, ch. 103, sec. 3, p. 260.]